APPENDIX 2

Note: Additional information can be obtained on the NIH Office of Research Facilities, Development and Operations' website at: http://orf.od.nih.gov/Environmental+Protection/NEPA/

Environmental Assessment (EA) and Environmental Impact Statement (EIS) Processes

A. Environmental Assessment Process:

1. The grantee will prepare an EA unless the NIH determines in advance that an EIS will be required. (Public notification may be required by the individual state's requirements.)

2. The grantee will submit the first draft EA to the NIH Program Officer.

3. NIH staff will forward 4 copies to the Environmental Quality Branch Chief of the Division of Environmental Protection (DEP), NIH for review and comment.

4. DEP comments are forwarded to the NIH Program Officer.

5. The Program Officer forwards DEP's comments to the grantee for inclusion in the final draft EA document.

6. The grantee submits an **electronic** copy of the final draft EA to the NIH Program Officer to be forwarded to DEP.

7. DEP will review the draft EA to ensure all comments have been included.

8. Upon DEP's approval, the Program Officer will request the required number of copies from the institution.

9. The grantee will send the final copies to the NIH Program Officer who will forward it to DEP.

10. DEP will forward copies to the **state EPA representative** and any other **stakeholders** for review and comment.

11. Comments from the state or any stakeholders are gathered by DEP.

12. Comments are sent to NIH Program Officer for the grantee to include and respond to accordingly.

13. Final EA copies are sent to NIH Program Officer who forwards it to DEP.

14. DEP will prepare the Finding of No Significant Impact (FONSI) or Memo of Decision to prepare EIS (See below for EIS process).

15. DEP will provide the NIH Program Officer with the final letter of decision, which is then forwarded to the grantee.

B. <u>Environmental Impact Statement (EIS) Process</u>

1. The grantee will prepare the EIS.

2. A Notice of Intent (NOI) of the public scoping meeting is prepared by the NIH and the grantee. The NOI should include the date, time, and location of such meeting.

3. The NOI is published in Federal Register by NIH with NIH as contact point. This begins the scoping period.

4. Publication of Legal Notices, approved by the NIH, are published in two local papers – one major newspaper and one local area newspaper -- for 3 days/ week for two weeks.

5. Additional publication of the public meeting notice is optional.

6. Public Scoping Meeting is held by the grantee with NIH attendance at least 15 days after NOI publication and before the end of 30 day scoping period.

7. Comments are accepted for a full 30 days after the end of the scoping period. All comments and correspondence are collected and compiled by the NIH.

8. The grantee will prepare and submit the Draft EIS to the Environmental Quality Branch Chief, Division of Environmental Protection (DEP), NIH, for review and distribution.

9. The NIH, with the grantee will distribute Draft EIS (DEIS) copies to all scoping commentors, requestors and stakeholders for comment.

10. NIH provides 5 copies to the Environmental Protection Agency (EPA.) EPA publishes the Notice of Availability (NOA) in the Federal Register, which includes date, time, and place of public comment meeting at least 15 days after the NOA. This begins the 45-60 day comment period.

11. NIH-approved Legal Notices are published in two local papers – one major newspaper and one local area newspaper -- for 3 days/ week for two weeks.

12. Additional publication of the notice for public meeting is optional.

13. All comments during the review period are kept for administrative record and must be responded to in the Final EIS (FEIS). All comments and correspondence are collected and compiled by the NIH and must be retained/disposed in accordance with the NIH record retention policy (NIH Manual Chapter 1743, "Keeping and Destroying Records").

14. The grantee will prepare and submit the FEIS to DEP for review and distribution.

15. NIH provides 5 copies to EPA. EPA publishes the NOA in the Federal Register. No meeting is required, but a 30 day waiting period is mandatory.

16. NIH, with the grantee, distributes copies to all commentors on the DEIS, requestors, appropriate government agencies, and other interested agencies.

17. Comments on FEIS are collected by the NIH. No response is required but may occur at the discretion of the government.

18. Grantee prepares the EIS for DEP, NIH. The grantee provides a draft Record of Decision (ROD) and forwards it to DEP/NIH. The NIH and grantee completes the preparation of the ROD for signature by the designated NIH representative (usually the Director of ORF).

19. ROD is published in the Federal Register by NIH.